

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Northern Division)

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN RE SOURCEFIRE, INC. SECURITIES
LITIGATION

2010 FEB -5 A 11:5b
Master File No. 07-cv-1210-JFM

CLERK'S OFFICE
JUDGE J. FREDERICK MOTZMORE

BY _____ DEPUTY

**[PROPOSED] ORDER AUTHORIZING DISBURSEMENT OF THE NET
SETTLEMENT FUND**

WHEREAS, by its Final Order and Judgment dated June 13, 2009, this Court approved the terms of the Stipulation and Agreement of Settlement dated February 10, 2009 (the "Stipulation") and the Plan of Allocation for distributing the settlement proceeds to Class Members; and

WHEREAS, the Court has approved the Plan of Distribution as a fair and reasonable method to calculate claims of Settlement Class Members and to allocate the Net Settlement Fund and distribute same to Settlement Class Members; and

WHEREAS, the Court has ordered that the settlement fund, after payment of the fees, costs and expenses of the Claims Administrator in administering the settlement, taxes and tax expenses on the income earned on the settlement fund, and any award of attorneys' fees and expenses (*i.e.*, the Net Settlement Fund), shall be distributed to all Settlement Class Members who submitted valid proof of claims as according to the Plan of Distribution contained in the Notice, in the amounts calculated by the Claims Administrator pursuant to the Plan of Distribution; and

WHEREAS, the Court has ordered that such distribution shall occur as soon as practicable after the completion of the review and verification of the proof of claim forms

by the Claims Administrator and the process of reviewing all Proofs of Claim has been completed; and

WHEREAS, Lead Counsel now seeks authorization to distribute the proceeds of the Net Settlement Fund to Authorized Claimants; and

WHEREAS, for notice and administration fees and expenses, Rust seek to be paid \$93,232.06 from the Settlement Fund as final payment for its fees and expenses; and

WHEREAS, the Settlement Fund, as of January 28, 2010, is valued at approximately \$2,046,843.63 in cash, including interest; and

WHEREAS, this Court has retained jurisdiction of this Action for the purpose of considering any further application or matter which may arise in connection with the administration and execution of the Settlement and the processing of Proofs of Claim and the distribution of the Net Settlement Fund to the Authorized Claimants;

NOW, THEREFORE, upon consideration of the Declaration of Charlene Young dated February 1, 2010, and good cause appearing and upon all prior proceedings heretofore had herein, and after due deliberation, it is hereby:

ORDERED, that the determinations made by Rust concerning the acceptance or rejection of claims, Rust's guidelines and methodology for approving claims, calculating Recognized Claims under the Plan of Distribution previously approved by the Court pursuant to the Order Approving Plan of Distribution of Settlement Proceeds dated June 13, 2009 (Docket No. 67), are appropriate and shall be applied; and it is further

ORDERED, that payment be made from the Net Settlement Fund to the Internal Revenue Service for the proper amount of taxes due and owing on the interest earned on the Settlement Fund while in escrow, if any; and it is further

ORDERED, that Rust be paid the sum of \$93,232.06 from the Settlement Fund as final payment for its fees and expenses. This includes all fees and expenses incurred, or to be incurred, in connection with this distribution of the Settlement; and it is further

ORDERED, that the balance of the Settlement Fund after deducting payments previously allowed and set forth herein (the "Net Settlement Fund") shall be distributed to the Authorized Claimants set forth listed on the computer printout submitted with the Affidavit of Charlene Young (Exhibit E) under the proposed Plan of Allocation in proportion to each Authorized Claimant's Recognized Claim as compared to the total Recognized Claims of all accepted claimants as shown on such printout; and it is further

ORDERED, that the checks for distribution to the Authorized Claimants shall bear the notation "CASH PROMPTLY, VOID AND SUBJECT TO RE-DISTRIBUTION 120 DAYS AFTER DISTRIBUTION DATE." Lead Counsel and/or Rust are authorized to take appropriate action to locate and/or contact any Authorized Claimant who has not cashed his, her or its check within said time; and it is further

ORDERED, that, six (6) months after the initial distribution, any funds remaining in the Net Settlement Fund, by reason of uncashed checks, or otherwise, after the Claims Administrator has made reasonable and diligent efforts to have Authorized Claimants who are entitled to participate in the distribution of the Net Settlement Fund cash their distribution checks shall be used: (a) first, to pay any amounts mistakenly omitted from the initial distribution to Authorized Claimants, (b) second, to pay any reasonable additional settlement administration fees and expenses, and (c) finally, to make a second distribution to Authorized Claimants who cashed their checks from the initial distribution and who would receive at least \$10.00 from such second distribution, after payment of the estimated costs or fees to be incurred in administering the Net Settlement Fund and in making this second distribution, if such second distribution is economically feasible. If

such second distribution is not economically feasible, Lead Counsel shall petition the Court to distribute any remainder to an appropriate charity or organization; and it is further

ORDERED, that Rust is hereby authorized to discard paper or hard copies of Proofs of Claim and supporting documents not less than one (1) year after distribution of the Net Settlement Fund to the eligible claimants and electronic copies of the same not less than three (3) years after distribution of the Net Settlement Fund to the eligible claimants; and it is further

ORDERED, that this Court retains jurisdiction over any further application or matter which may arise in connection with this Action.

DATED: July 5, 2010
Baltimore, Maryland

JFM
THE HONORABLE J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE